



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/690,818	10/18/2000	Noriaki Hashimoto	83115-002	3661

52190 7590 08/22/2006

WATCHSTONE P + D
1300 EYE STREET, NW
SUITE 400 EAST TOWER
WASHINGTON, DC 20005

EXAMINER

COLIN, CARL G

ART UNIT	PAPER NUMBER
----------	--------------

2136

DATE MAILED: 08/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/690,818

Applicant(s)

HASHIMOTO, NORIAKI

Examiner

Carl Colin

Art Unit

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. In response to communications filed on 6/12/2006, the following claims 1-23 are presented for examination.
2. Applicant's arguments, filed on 6/12/2006 with respect to the rejection of claims 1-23 have been fully considered but they are not persuasive. Regarding claim 1, Applicant erroneously argues that the customer IP address is not assigned to the user computer because it is stored in the server. Examiner respectfully disagrees and directs Applicant to read column 5, lines 40-61 where it is clearly explained that the server needs to store the assigned authenticated IP address so that future packets flow from customer assigned IP address can be validated. (See also claims 1 and 8). Figure 3A shows an extended DHCP request containing customer IP address for verification purposes. Allan discloses different embodiment that authenticates the user IP address to determine whether the user is legitimate (see other embodiment column 7, lines 3-15). Examiner asserts that in these two examples above, the IP address is assigned to the user computer contrarily to Applicant's argument. For at least the reasons cited above, Applicant has not overcome the rejection and it remains the Examiner's position that claims 1-23 remain rejected.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2136

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Publication 6,912,567 to **Allard et al.**

As per claims 1, 21, and 22, Allard et al discloses an access control system for preventing an unauthorized access to a network via a user computer, the system comprising: server comprising router table and database for storing customer assigned IP address (see column 7, lines 3-11; column 5, lines 40-61 and claims 1 and 8); that meets the recitation of a memory containing an IP address assigned to the user computer; and server comprising a microprocessor programmed to terminate a connection between the user computer and the network when an originating IP address of a data packet received from the user computer does not match the IP address assigned to the user computer that is contained in the memory (see column 6, lines 15-52 and column 6, line 60 through column 7, line 15).

As per claim 5, claim 5 contains similar limitations to claim 1 except for using an access controlled system. **Allard et al** discloses a server that meets the recitation of an access control

Art Unit: 2136

system located between the user computer and the host computer system (see figure 2).

Therefore, claim is rejected on the same rationale as the rejection of claim 1.

As per claim 13, Allard et al discloses a method for preventing an unauthorized access to a network via a user computer connected to the network through a host computer system (ISP server) which is connected to an access control system (BMPS server), the method comprising: storing an IP address of the user computer in a server database (see column 7, lines 3-11; column 5, lines 40-61 and claims 1 and 8) that meets the recitation of storing an IP address of the user computer in a memory of an access control system; receiving a data packet from a user computer with an originating IP address (column 4, lines 21-40) comparing an originating IP address of the data packet with the IP address of the user computer stored in the memory of the access control system (see column 6, lines 15-52 and column 5, lines 15-36); terminating a connection between the user computer and a host computer system if the originating IP address of the data packet is different from the IP address of the user computer stored in the memory of the access control system (see column 6, lines 15-52 and column 7, lines 1-2).

As per claim 9, claim 9 contains similar limitations to claim 13 except for reciting denying the user computer an access to the network if the originating IP address of the data packet is different from the IP address of the user computer stored in the memory of the access control system. **Allard et al** discloses denying access to the Internet if a “no” condition exists, (see column 6, lines 15-52 and column 6, line 60 through column 7, line 2).

As per claim 16, Allard et al discloses a secure network comprising a host computer connected to the secure network (column 5, lines 1-15) an access control system (BMPS server) connected to the host computer system and having a memory (see column 5, lines 1-15); and a user computer connected to the host computer and configured to access the secure network through the host computer (see column 5, lines 1-15 and figure 2); and discloses the server including a database is programmed to terminate a connection between the user computer and the host computer system when an originating IP address of a data packet sent from the user computer for transmission to a node in the secure network does not match the IP address assigned to the user computer that is contained in the memory of the access control system (see column 6, lines 15-52 and column 7, lines 1-2). (See also column 7, lines 3-11; column 5, lines 40-61 and claims 1 and 8).

As per claim 20, claim 20 contains some of the limitations to claim 16 except for reciting denying the user computer an access to the network if the originating IP address of the data packet is different from the IP address of the user computer stored in the memory of the access control system. **Allard et al** discloses denying access to the Internet if a “no” condition exists, (see column 6, lines 15-52 and column 6, line 60 through column 7, line 2).

As per claims 2, 6, and 14, Allard et al discloses the limitation of wherein the microprocessor is further programmed to delete the IP address of the user computer from the memory when the originating IP address of the data packet received from the user computer does

not match the IP address assigned to the user computer that is contained in the memory, for example (see column 6, lines 40-52 and column 7, lines 19-30).

As per claims 3, 7, and 15, Allard et al discloses the limitation of, wherein the microprocessor is further programmed to update the IP address of the user computer contained in the memory, for example (see column 6, lines 29-34).

As per claims 4, 8, 23, Allard et al discloses the limitation of wherein the memory is a part of the microprocessor (see column 5, lines 2-4).

As per claim 10, Allard et al discloses the limitation of wherein the denying step includes terminating the connection between the user computer and the network (see column 6, lines 15-52 and column 6, line 60 through column 7, line 2).

As per claim 11, Allard et al discloses the limitation of further comprising updating the IP address of the user computer stored in the memory of the access control system, for example (see column 6, lines 29-34).

As per claim 12, Allard et al discloses the limitation further comprising deleting the IP address of the user computer from the memory of the access control system if the originating IP address of the data packet is different from the IP address of the user stored in the memory of the access control system, for example (see column 6, lines 40-52 and column 7, lines 19-30).

As per claim 17, Allard et al discloses the limitation of wherein the user computer and the host computer system are connected via a Public Switched Telephone Network (column 6, lines 15-20).

As per claim 18, Allard et al discloses the limitation of wherein a host computer system comprising an access server and a plurality of modems and wherein the access control system is located between the access server and the plurality of modems (column 3, lines 25-52 and column 5, lines 1-28).

As per claim 19, Allard et al discloses the limitation of wherein the host computer system and the user computer are connected via a local area network (column 3, lines 25-52).

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

Art Unit: 2136

advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


4.1 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carl Colin whose telephone number is 571-272-3862. The examiner can normally be reached on Monday through Thursday, 8:00-6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser G. Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

cc
Carl Colin
Patent Examiner
August 18, 2006

NASSER MOAZZAMI
PRIMARY EXAMINER


8/21/06